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Date of Deposit: October <u>30</u>, 2002

Examiner: D. Hamlin

Group Art Unit: 1751

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Tamara Alcaraz

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TC 1700

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Yuzhi QU

Serial No.:

09/657,985

Filing Date:

September 8, 2000

For:

SUPERCONDUCTING HEAT

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RESPONSE TO OFFICE ACTION UNDER 37 C.F.R. § 1.111

Commissioner for Patents Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated September 11, 2002 (Paper No. 7) for which a response is due on December 11, 2002. Claims 1-10 were provisionally rejected under the doctrine of provisional judicial double patenting and rejected variously under 35 U.S.C. §112, paragraph 2 and 35 U.S.C. §102. In this Response, claims 5 and 10 have been amended. The Applicant neither added nor cancelled any claim. Consequently, claims 1-10 are under consideration. Reconsideration, reexamination, and allowance of the Application is requested.

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TRANSMITTAL

FORM

1/-01-02

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PTO/SB/21 (08-00)

Approved for use through 10/31/02. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

09/657,985

September 8, 2000

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Application Number

Filing Date

First Named Inventor Yuzhi QU **Group Art Unit** 1751 **Examiner Name** D. Hamlin (to be used for all correspondence after initial filing) Total Number Of Pages In This Submission Attorney Docket No. 458172000100 **ENCLOSURES** (check all that apply) Assignment Papers After Allowance Communication to Fee Transmittal Form (for an Application) Group Appeal Communication to Board of Fee Attached Drawing(s) Appeals and Interferences Appeal Communication to Group Amendment / Reply (6 pages) Licensing-related Papers (Appeal Notice, Brief, Reply Brief) Petition Proprietary Information After Final Petition to Convert to a Affidavits/declarations Status Letter Provisional Application Power of Attorney, Revocation Other Enclosure(s) (please identify Extension of Time Request Change of Correspondence Address below): - Associate Power of Attorney (3 pages) Terminal Disclaimer - Return Receipt Postcard **Express Abandonment Request** Request for Refund CD, Number of CD(s) Information Disclosure Statement Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY OR AGENT Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018 Firm or Mika Mayer (Reg. No. 47,777) Individual Name Signature October 30, 2002 Date CERTIFICATE OF MAILING BY "EXPRESS MAIL" Date of Deposit: October 2, 2002 Express Mail Label No.: EV093216276US I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231. Tamara Alcaraz Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 2023. DO NOT SEND FEES OR COMPLETED

FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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